IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 13948 of 2001

Between:

1 Nathi Venkaiah, S/o. Chittaiah,
R/o. 1-32, Kompalli Village,
Quthabukpur Mandal, R.R.District.
2 Nathi Ramulu, S/o. Chittaiah,
R/o. 1-31, Kompalli Village,
Quthabukpur Mandal, R.R.District.
3 Nathi Augamaiah, S/o. Chittaiah,
R/o. 1-29, Kompalli Village,
Quthabukpur Mandal, R.R.District.
4 Nathi Srinivas, S/o. Mallesham,
R/o. 1-30, Kompalli Village,
Quthabukpur Mandal, R.R.District.

..... PETITIONERS

AND

1 Sanna Lachaiah, (Died per LR's)
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.
2 Ramulu, S/o. Late Lachaiah,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.
3 Laxman, S/o. Late Lachaiah,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.
4 Mallesh, S/o. Late Lachaiah,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.
5 Venkatesh, S/o. Late Lachaiah,
R/o. Kompalli Village, Quthabukpur Mandal,

R.R. District.

6 Sanna Mallesham, S/o. Mallaiah (Died and his L.R's are)
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

7 Srisailam, S/o. Late Sanna mallesham,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

8 Ravi Kumar, S/o. Late Sanna mallesham,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

9 Yerrolla Venkata Swamy, S/o. Yerrolla Laxmaiah,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

10 Yerrolla Narsimha (Died per L.R.'s)
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

11 Yerrolla Swamy, S/o. Y.Narasimha,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

12 Yerrolla Krishna, S/o. Late Y. Narasimha,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

13 Yerrolla Srinivas, S/o. Late Y. Narasimha,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

14 Yerrolla Laxmaiah, S/o. Pochaiah,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District.

15 Joint Collector,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District. A.P.

16 Revenue Divisional Officer, Ranga Reddy East Division,
R/o. Kompalli Village, Quthabukpur Mandal,
R.R. District. A.P.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or any order more particularly one in the nature of Writ of Certiorari and call for the records in the proceedings No.F2/934/1999, dt.31-3-2001 and quash the said proceedings and consequently cancel the certificate of ownership issued to Sanna family relating to Ac.6.68 Gts., issued by the Res.No.16 in Sy.No.94,95 and pass such other orders.

Counsel for the Petitioner:MR.J.SATYA PRASAD

Counsel for the Respondents: MR.B.MAHENDER REDDY AND G.P. FOR REVENUE

The Court made the following O R D E R:

This writ petition is filed with the following prayer:

“For the reasons stated in the accompanying affidavit, it is prayed that the Honourable Court may be pleased to issue a writ or any order more particularly one in the nature of writ of certiorari and call for the records in the proceedings No.F2/934/1999, dated 31.03.2001 and quash the said proceedings and consequently cancel the certificate of ownership issued to Sanna family relating to Ac.6.68 gts, issued by the respondent No.16 in Sy.Nos.94 and 95 and pass such other orders.”

When this petition has come up for hearing, learned senior counsel appearing for respondents 2 to 5 took an objection with regard to maintainability of the writ petition since the petitioners have a statutory remedy provided under A.P. (Telangana Area) Tenancy and Agricultural Lands Act, 1950, (for short ‘the Act’).

Learned senior counsel appearing for the petitioners does not dispute the remedy available to the petitioners under the Act.

The subject matter in the writ petition relates to the order passed by the appellate authority under the Act. Section 91 of the Act provides revision against the orders passed by the appellate authority under Section 90 of the Act. Since a statutory remedy is provided to the petitioners under the Act, they have to exhaust the remedy before invoking the writ jurisdiction of this Court.

Hence the writ petition is disposed of giving liberty to the petitioners to file a

revision within four weeks as provided under Section 91 of the Act. No costs.

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08.06.2005

usd

To

1) The Joint Collector, R/o. Kompalli Village, Quthabukpur Mandal, R.R. District. A.P.
2) The Revenue Divisional Officer, Ranga Reddy East Division, R/o. Kompalli Village, Quthabukpur Mandal, R.R. District. A.P.

3) 2 CD copies

4) 1 CC to MR.MAHENDER REDDY

*Form-NIC-OGS/WP{**KRD**}*